

**SUMTER COUNTY BOARD OF COMMISSIONERS  
EXECUTIVE SUMMARY**

**SUBJECT:** Employee Manual Revisions

**REQUESTED ACTION:** Approve the revisions to the Employee Manual to clarify the Payment Upon Separation policy and revisions to the Discipline policy. (Staff recommends approval)

☐ Work Session (Report Only)    **DATE OF MEETING:** 4/27/2010  
☒ Regular Meeting                      ☐ Special Meeting

**CONTRACT:** ☒ N/A

Effective Date: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

☐ Annual

**FUNDING SOURCE:** \_\_\_\_\_

☐ Capital

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

☒ N/A

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**HISTORY/FACTS/ISSUES:**

The current employee manual needs to be revised to incorporate various changes to better manage our employees. These revisions are consistent with recommendations from FACT and have been reviewed by the Personnel Review Team.

Attachment "A" revises our Discipline policy to address employees who fail to attend mandatory training, and also to address those employees who do not return required form to conform to the Family and Medical Leave Act (FMLA).

Attachment "B" revises our Payment Upon Separation policy to address payment of accrued leave for employees who separate from employment without providing notice.

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## SECTION 8 - DISCIPLINE AND TERMINATION

### 8.010 DISCIPLINE

- a. All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of Sumter County.
- b. Acts, errors, or omissions which discredit public service or impair the provision of orderly services to the citizens of Sumter County may result in discipline, including termination.
- c. The following are examples of the types of behavior that may result in discipline, including termination:
  1. Drinking alcohol or the abuse of non-prescription or prescription drugs or other controlled substances on the job, or arriving on the job under the influence of or while in possession of alcohol, drugs, or other controlled substances;
  2. Insubordination;
  3. Absence from work without first notifying and securing permission from the supervisor;
  4. Habitual absences or tardiness for any reason;
  5. Unsatisfactory job performance;
  6. Conviction of a felony or a misdemeanor involving moral turpitude;
  7. Acceptance of fees, gratuities, or other valuable items in the performance of the employee's official duties for the Board;
  8. Inability, refusal, or failure to perform the duties of the assigned job;
  9. Threatening citizens, co-workers or supervisors with violence;
  10. Violation of duties, safety rules, or rules imposed by this Manual or by any other Board rule, regulation, or administrative order;
  11. Failure to return required Family and Medical Leave act forms
  12. Failure to attend mandatory training
  13. Using or disclosing protected health information in the violation of Sumter County's Privacy Policy regarding the Health Insurance Portability and Accountability Act or otherwise violating the Privacy Policy.

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This list is not all-inclusive, but only serves as a general guide. Employees may be disciplined for other reasons not stated above. Employment remains at will despite this list.

- d. The Division Director has full discretion and authority to approve disciplinary actions short of suspension, demotion and termination. Employees are not entitled to prior notice before disciplinary action is taken. The County Administrator or the employee shall be free to terminate the employment relationship at any time, for any reason. No complaint can be filed regarding a termination decision. Employment remains at will at all times and there is to be no expectation of continued employment.
- e. In the event that discipline is necessary, the goal will be to follow progressive disciplinary actions. The following types of disciplinary actions may be used:
  - 1. Counseling. Counseling is a discussion between the employee and the supervisor whenever the supervisor notices that an employee is failing to adhere to the County's official or expected conduct standards. Counseling is a measure utilized by a supervisor to correct an employee's inappropriate conduct with the objective that the conduct will not be repeated and that disciplinary action will not become necessary. Counseling shall not be considered disciplinary action for the purposes of progressive disciplinary action, nor does counseling preclude a later decision to impose discipline.
  - 2. Oral Warning. An oral warning is a session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to the Board by changing the employee's conduct, attitude, habits, or work methods. Following the session the supervisor shall document the oral warning.
  - 3. Reprimand. A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
  - 4. Suspension. A paid or unpaid suspension is a temporary absence from duty, which may be imposed by the County Administrator as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action which is made part of the employee's permanent record.

5. Demotions. The County Administrator may reduce the salary of an employee or demote the employee to a lower grade for significant misconduct or repeated lesser infractions. A written statement of the reasons for any such action will be furnished to the employee and a copy placed in the employee's personnel file.
6. Termination. Employees may be terminated by the County Administrator or otherwise disciplined without cause and without following any progressive disciplinary process.

## Attachment B

### 4.060 PAYMENTS UPON SEPARATION

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Subject to the limitations set forth in this section, and other sections of this Manual, when an employee separates from employment with the Board, the employee will receive the following compensation:

- a. Regular wages for all hours worked up to the time of termination, which have not already been paid.
- b. Any overtime or holiday pay due.
- c. Approved lump sum payment of accrued, but unused, annual leave. However, an employee who is involuntarily terminated from employment or who leaves employment without providing notice may not be approved for accrued, but unused, annual leave. Moreover, employees who separate during the first six (6) months of employment are not eligible for payment of benefits.
- d. At retirement, an employee hired June 1, 2009, or after will receive payment of 25% of unused sick leave at his current rate of pay. Employees hired before June 1, 2009, will receive payment for 50% of unused sick leave at his current rate of pay through December 31, 2009. Sick leave pay-out at retirement will be paid at percentages shown in table below for employees retiring January 1, 2010 or after.

Exception to section d: Employees who have entered DROP (Deferred Retirement Option Program) before June 1, 2009, or employees having filed an application for retirement with the Division of Retirement before June 1, 2009, with a retirement date occurring before June 1, 2014, will receive payment for 50% of unused sick leave at his current salary rate. Should the employee extend their employment beyond the retirement date stated on their retirement application, the sick leave pay-out benefit will be paid according to the phase out schedule at the actual date of retirement.

Effective Date	Through	Pay-out Percentage
January 1, 2010	December 31, 2010	45%
January 1, 2011	December 31, 2011	40%
January 1, 2012	December 31, 2012	35%
January 1, 2013	December 31, 2013	30%
January 1, 2014	Forward	25%

- e. Final payment includes all separation benefits. The final check will be held until the employee has returned all Board property, including keys, uniforms, completed documents, etc.